

**FRIED, FRANK, HARRIS, SHRIVER
& JACOBSON LLP**

STEPHEN S. RABINOWITZ

srabinowitz@friedfrank.com

RANDY C. EISENSMITH (*Pro Hac Vice*)

randy.eisensmith@friedfrank.com

MICHAEL A. KLEINMAN (*Pro Hac Vice*)

michael.kleinman@friedfrank.com

One New York Plaza

New York, NY 10004-1980

Telephone: 212-859-8000

Facsimile: 212-859-4000

DURIE TANGRI LLP

DARALYN J. DURIE (SBN 169825)

ddurie@durietangri.com

JOSHUA H. LERNER (SBN 220755)

jlerner@durietangri.com

GENEVIEVE P. ROSLOFF (SBN 258234)

grosloff@durietangri.com

217 Leidesdorff Street

San Francisco, CA 94111

Telephone: 415-362-6666

Facsimile: 415-236-6300

Attorneys for Plaintiffs

GENENTECH, INC. and

ROCHE PALO ALTO LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

GENENTECH, INC. and
ROCHE PALO ALTO LLC,

Plaintiffs,

v.

SANDOZ INC.,

Defendant.

Case No.: 3:11-cv-01925-JSW

**STIPULATION AND [PROPOSED]
ORDER TO DISMISS WITH
PREJUDICE**

WHEREAS, the parties have entered into a settlement and have agreed to dismiss with prejudice all claims and counterclaims asserted in this action and that each party shall bear its own costs,

Accordingly, by the United States District Court for the Northern District of California, it is ORDERED:

All claims and counterclaims asserted in this action are dismissed with prejudice with each party to bear its own costs.

Stipulated to and Agreed:

/s/ Joshua H. Lerner

JOSHUA H. LERNER

FRIED, FRANK, HARRIS, SHRIVER
& JACOBSON LLP
STEPHEN S. RABINOWITZ
srabinowitz@friedfrank.com
RANDY C. EISENSMITH (*Pro Hac Vice*)
randy.eisensmith@friedfrank.com
MICHAEL A. KLEINMAN (*Pro Hac Vice*)
michael.kleinman@friedfrank.com
One New York Plaza
New York, NY 10004-1980
Telephone: (212) 859-8000
Facsimile: (212) 859-4000

DURIE TANGRI LLP
DARALYN J. DURIE (SBN 169825)
ddurie@durietangri.com
JOSHUA H. LERNER (SBN 220755)
jlerner@durietangri.com
GENEVIEVE P. ROSLOFF (SBN 258234)
grosloff@durietangri.com
217 Leidesdorff Street
San Francisco, CA 94111
Telephone: 415-362-6666
Facsimile: 415-236-6300

Attorneys for Plaintiffs
GENENTECH, INC. and ROCHE PALO
ALTO LLC

Dated: January 7, 2014

/s/ Timothy M. Flaherty

TIMOTHY M. FLAHERTY

RAKOCZY MOLINO MAZZOCHI
SIWIK LLP
WILLIAM A. RAKOCZY (*Pro Hac Vice*)
wrakoczy@rmmslegal.com
DEANNE M. MAZZOCHI (*Pro Hac Vice*)
dmazzochi@rmmslegal.com
JOSEPH T. JAROS (*Pro Hac Vice*)
jjaros@rmmslegal.com
ERIC R. HUNT (*Pro Hac Vice*)
ehunt@rmmslegal.com
YIXIN H. TANG (*Pro Hac Vice*)
ytang@rmmslegal.com
MATTHEW V. ANDERSON (*Pro Hac Vice*)
manderson@rmmslegal.com
6 West Hubbard St., Suite 500
Chicago, Illinois 60654
Telephone: 312-527-2157
Facsimile: 312-527-4205

MORRIS POLICH & PURDY LLP
TIMOTHY M. FLAHERTY (SBN 099666)
tflaherty@mpplaw.com
One Embarcadero Center, Suite 400
San Francisco, CA 94111-3619
Telephone: 415-984-8500
Facsimile: 415-984-8599

Attorneys for Defendant
SANDOZ INC.

Dated: January 7, 2014

ATTESTATION

Pursuant to Civil L.R. 5-1, I hereby attest that concurrence in the filing of the foregoing document has been obtained from counsel for Defendant Sandoz Inc. as indicated by a “conformed” signature (/s/).

Dated: January 7, 2014

/s/ Joshua H. Lerner
JOSHUA H. LERNER

PURSUANT TO STIPULATION, IT IS SO ORDERED this ____ day of _____ 2014:

Jeffrey S. White
United States District Judge

CERTIFICATE OF SERVICE

I certify that all counsel of record is being served on January 7, 2014 with a copy of this document via the Court's CM/ECF system.

/s/ Joshua H. Lerner
JOSHUA H. LERNER